

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JAMAL HARRIS,

*Petitioner,*

v.

CHERYL STEBERGER, et al.,

*Respondents.*

CIVIL ACTION  
NO. 16-4108

**ORDER**

**AND NOW**, this 22nd day of June, 2017, upon consideration of the Report and Recommendation filed by United States Magistrate Judge Elizabeth T. Hey, (ECF No. 8), and Jamal Harris's objections thereto, (ECF No. 9), it is hereby **ORDERED** that:

1. Harris's objections are **OVERRULED** and Magistrate Judge Hey's Report and Recommendation is **APPROVED** and **ADOPTED**;
2. Harris's Petition for a Writ of Habeas Corpus is **DENIED** and **DISMISSED** **without prejudice** to his right to refile once he has exhausted his claims in state court;
3. No certificate of appealability shall issue;
4. This case shall be **CLOSED** for statistical purposes.
5. Jeffrey Cutler's Motion to Combine Cases and Summary Judgment, (ECF No. 6), is **DENIED** and the Clerk of Court shall **REMOVE** Cutler from the docket of this case.

BY THE COURT:

**/s/ Gerald J. Pappert**  
GERALD J. PAPPERT, J.